

MEMO ENDORSED

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

June 28, 2013

VIA ELECTRONIC MAIL

Hon. Alison J. Nathan
United States District Judge
Southern District of New York
500 Pearl Street, Rm. 615
New York, NY 10007

USDC SDNY

DOCUMENT

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DOC #:

DATE FILED: JUL 01 2013

One Marina Park Drive
Boston, Massachusetts
02210-1878

Telephone
617 542-5070

Fax
617 542-8906

Web Site
www.fr.com



Re: ABC, et al. v. Aereo, Inc., 12-cv-1540-AJN (S.D.N.Y.) (Consolidated)

ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

HOUSTON

MUNICH

NEW YORK

SILICON VALLEY

SOUTHERN CALIFORNIA

TWIN CITIES

WASHINGTON, DC

Dear Judge Nathan:

In accordance with Your Honor's Order dated June 24, 2013, Aereo publicly filed redacted versions of several of its Summary Judgment documents on June 26, 2013. It has come to Aereo's attention that, despite redaction, the underlying text may nonetheless be extracted from these documents by members of the public.

Due to the highly-sensitive nature of the underlying text, the ECF Clerk temporarily sealed the documents. Aereo fixed the redactions and is prepared to re-file the documents. Accordingly, Aereo requests that the Court strike Aereo's Rule 56.1 Statement and the Exhibits associated with the Declaration of R. David Hosp, filed on June 26, 2013 (Dkt. Nos. 217 and 218 in 12-Civ-1540 and Dkt. Nos. 225 and 226 in 12-Civ-1543). Aereo will promptly re-file the documents.

Respectfully submitted,

/s/ R. David Hosp

R. David Hosp

cc: All Counsel of Record

Aereo's request is granted and so ordered. The Clerk of the Court is directed to strike the above-listed docket entries. Aereo shall re-file these documents within 24 hours of this order.
SO ORDERED.

SO ORDERED:

7/1/13

**HON. ALISON J. NATHAN
UNITED STATES DISTRICT JUDGE**